

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency _____ Secretary of State _____

Rule No. 820-2-2-.25

Rule Title: Mail-in Voter Registration Form

 New X Amend Repeal Adopt by _____

Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? No

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer *J. M. Merrill* REC'D & FILED

Date *March 18, 2019* 2019 MAR 21 PM 12:56

LEGISLATIVE SVC AGENCY
(DATE FILED)

APA-2

(Agency Name)
(Agency Division, if applicable)

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Secretary of State

RULE NO. & TITLE:

820-2-2-.25 Mail-in Voter Registration Form

INTENDED ACTION:

Amend Rule

SUBSTANCE OF PROPOSED ACTION:

Added a link to the Voter Registration Form for people to find additional information on Moral Turpitude felonies.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

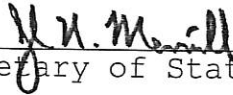
Views may be presented orally or in writing and should be addressed to Hugh Evans, Office of the Secretary of State, P.O. Box 5616, Montgomery, AL 36130; (334) 242-4298.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

May 3, 2019

CONTACT PERSON AT AGENCY:

Hugh Evans, Office of the Secretary of State, State Capitol Suite E-201, 600 Dexter Avenue, Montgomery, AL 36130; (334) 242-4298.


Secretary of State



State of Alabama Voter Registration Application
Instructions Regarding Proof of Citizenship for the Purpose of Registering to Vote

You must provide satisfactory evidence of U.S. citizenship when registering to vote in the State of Alabama.

You do not need proof of citizenship if you are registered to vote and you are using this form to update your registration record.

- 1) Proof of U.S. citizenship is established by providing an original or legible photocopy or a copy in digital or other electronic format of ONE of the following documents:
 - Driver's license or nondriver's ID card issued by division of motor vehicles or equivalent governmental agency of any state within the U.S. provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) as a condition of issuance of the driver's license or nondriver's ID card and that the driver's license or nondriver's ID card contains appropriate indicia showing proof of U.S. citizenship. **Alabama driver's license or nondriver's ID card must be a "Star" license or ID.**
 - Birth certificate indicating birth in the U.S. or one of its territories.
 - Pertinent pages of a valid or expired U.S. passport identifying applicant and applicant's passport number, or presentation of U.S. passport to Board of Registrars.
 - U.S. naturalization documents or the number of certificate of naturalization. If only number of certificate of naturalization is provided, applicant shall not be registered until number of certificate of naturalization is verified with U.S. Bureau of Citizenship and Immigration Services by Board of Registrars pursuant to 8 U.S.C. §1373(c).
 - Other documents or methods of proof of U.S. citizenship issued by federal government pursuant to Immigration and Nationality Act of 1952 and amendments thereto.
 - Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
 - Consular report of birth abroad of U.S. citizen.
 - Certificate of citizenship issued by U.S. Citizenship and Immigration Services.
 - Birth certificate issued by U.S. State Department.
 - American Indian card with KIC classification issued by U.S. Dept. of Homeland Security.
 - Final adoption decree showing applicant's name and U.S. birthplace.
 - Official U.S. military record of service showing applicant's place of birth in the U.S.
 - Extract from U.S. hospital birth record created at time of birth showing applicant's U.S. place of birth.
 - Federal confirmation of U.S. citizenship under 8 U.S.C. §1373.

- 2) If you were born in Alabama and do not have one of the documents listed in section 1, the Alabama Department of Public Health will send a birth certificate to your county Board of Registrars at no cost to you. Please fill out the attached Form HS-89, "Affidavit and Application for a Certification of an Alabama Birth Record for Alabama Voter Registration Use," and submit it to your county Board of Registrars.

- 3) If you believe you have proof of U.S. citizenship that is not listed in section 1, you may apply to your county Board of Registrars for a hearing to determine your U.S. citizenship for voting purposes. Please fill out the attached Form C-4 and submit it to your county Board of Registrars.

State of Alabama Mail-In Voter Registration Form

NVRA-2
02/10/12/07

FOR USE BY U.S. CITIZENS ONLY ♦ FILL IN ALL BOXES ON THIS FORM ♦ PLEASE USE INK ♦ PRINT LEGIBLY

You can use this form to:

- ▶ Register to vote in Alabama.
- ▶ Update your voter registration record, if you have changed your name or address.

Deadline for submitting application:

Voter registration and updating of voter records is closed during the 14 days prior to each election in Alabama.

To register to vote in the State of Alabama, you must:

- ▶ Be a citizen of the United States.
- ▶ Live in Alabama.
- ▶ Be at least 18 years of age on or before election day.
- ▶ Not have been convicted of a disqualifying felony, or if you have been convicted, you must have had your civil rights restored.
- ▶ Not have been declared "mentally incompetent" by a court.

ID requested: You may send with this application a copy of valid photo identification. You will be required to present valid photo identification when you vote at your polling place or by absentee ballot, unless exempted by law. For more information, go to www.AlabamaVoterID.com or call the Elections Division: 800-274-8683.

1 Are you a citizen of the United States of America?	<input type="checkbox"/> Yes <input type="checkbox"/> No	ATTENTION! If you answer "No" to either of these questions, do not complete this application.
2 Will you be 18 years of age on or before election day?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

3 Print Your Name: First Middle Last Suffix	Alabama Driver's License or Non-Driver ID Number: <input type="text"/> STATE <input type="text"/> NUMBER <input type="text"/>
4 Print Maiden Name / Former Name (if reporting a change of name) First Middle Last Suffix	IF YOU HAVE NO ALABAMA DRIVER'S LICENSE OR ALABAMA NON-DRIVER ID NUMBER Last four digits of Social Security number: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="checkbox"/> I do not have an Alabama driver's license or Alabama non-driver ID or a Social Security number.
5 Date of Birth (mm/dd/yyyy) 6 Primary Telephone 7 Email Address	

Addresses	Current	Address where you live: (Do not use post office box)	Home Address (include apartment or other unit number if applicable)	City	State	ZIP
		Address where you receive your mail:	Mailing Address, if different from Home Address	City	State	ZIP
	Old	Address where you were last registered to vote: (Do not use post office box)	Former Address	City	County	State

9 Sex (check one) <input type="checkbox"/> Female <input type="checkbox"/> Male	11 Place of Birth City Country State Country
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10 Race (check one) <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> American Indian <input type="checkbox"/> Hispanic <input type="checkbox"/> Other	12 Map / Diagram <small>If your home has no street number or name, please draw a map of where your house is located. Please include roads and landmarks.</small>	13 Did you receive assistance? <small>If you are unable to sign your name, who helped you fill out this application? Give name, address, and phone number (phone number is optional).</small>
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REGISTRARS USE ONLY

DATE APPROVED DENIED

(mm/dd/yyyy)

County Pct _____

City Pct _____

Board member _____

Board member _____

Board member _____

Voter Declaration - Read and Sign Under Penalty of Perjury

<ul style="list-style-type: none"> ▶ I am a U.S. citizen ▶ I live in the State of Alabama ▶ I will be at least 18 years of age on or before election day ▶ I am not barred from voting by reason of a disqualifying felony conviction. (The list of disqualifying felonies is available on the Secretary of State's website at: sos.alabama.gov/infelonyes) ▶ I have not been judged "mentally incompetent" by a court of law 	<p>I solemnly swear or affirm to support and defend the constitution of the United States and the State of Alabama and further disavow any belief or affiliation with any group which advocates the overthrow of the governments of the United States or the State of Alabama by unlawful means and that the information contained herein is true, so help me God.</p>
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YOUR SIGNATURE _____ **DATE** (mm/dd/yyyy) _____

If you falsely sign this statement, you can be convicted and imprisoned for up to five years.

The decision to register to vote is yours. If you decide to register to vote, the office at which you are submitting this application will remain confidential and will be used only for voter registration purposes. If you decline to register to vote, your decision will remain confidential and will be used only for voter registration purposes.

John H. Merrill - Secretary of State
Questions? Call the Elections Division at 1-800-274-8683 or 334-242-7210

To mail, put the address of your county Board of Registrars on the lines below.

[THIS SPACE FOR CURRENT ADDRESSES AND PHONE NUMBERS OF BOARDS OF REGISTRARS OFFICES]

YOUR ADDRESS:

PUT
FIRST
CLASS
STAMP
HERE

MAIL TO:

BOARD OF REGISTRARS

AFFIDAVIT AND APPLICATION FOR A CERTIFICATION OF AN ALABAMA BIRTH RECORD
FOR ALABAMA VOTER REGISTRATION USE

In compliance with Section 31-13-28 of the Alabama Code (Beason-Hammon Alabama Taxpayer and Citizen Protection Act), I swear under oath that I am over the age of 16 at least 18 years of age or, if not, will be 18 on or before the next election, and I plan to register to vote in the State of Alabama and that I do NOT possess any of the following documents that constitute evidence of U.S. citizenship:

1. Driver's license or nondriver's ID card issued by division or motor vehicles or equivalent governmental agency of any state within the U.S. provided that the governmental agency of another state within the U.S. requires proof of lawful presence in the U.S. (i.e., U.S. citizenship) as a condition of issuance of the driver's license or nondriver's ID card. **Alabama driver's license or nondriver's ID must be a "Star" license or ID.**
2. Birth certificate indicating birth in the U.S. or one of its territories.
3. Pertinent pages of a valid or expired U.S. passport, or original passport.
4. U.S. naturalization documents or the number of the certificate of naturalization.
5. Other documents issued by the Federal Government proving U.S. citizenship, pursuant to the immigration and Nationality Act of 1952.
6. Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
7. Consular report of birth abroad of U.S. citizen.
8. Certificate of citizenship issued by the U.S. Citizenship and Immigration Services.
9. Certification of report of birth issued by the U.S. State Department.
10. American Indian card, with KIC classification, issued by the U.S. Department of Homeland Security.
11. Final adoption decree showing name and U.S. birthplace.
12. Official U.S. military record of service showing place of birth in the U.S.
13. Extract from a U.S. hospital record of birth created at the time of birth indicating place of birth in the U.S.
14. Copy of declaratory judgment by a U.S. court confirming citizenship under 8 U.S.C. §1373.

Printed Name of Applicant

Notary Seal or Stamp

Signature of Applicant

Signature of Notary

Sworn to and subscribed before me on

Date

Information to Locate Birth Record: PLEASE CLEARLY PRINT ALL INFORMATION. FAILURE TO PROVIDE ACCURATE INFORMATION COULD DELAY THE PROCESSING OF THIS REQUEST

Full Name as Listed on Birth Record: _____

Date of Birth: _____ County of Birth: _____

Mother's Full MAIDEN Name: _____

Father's Full Name: _____

Voter Registration Office Information:

County of Voter Registration Office: _____

Mailing Address: _____

City: _____ State: Alabama Zip: _____ E-mail Address: _____

Signature of Voter Registration Official

Date of Request

Phone number with area code: () -

Fax number with area code: () -

ADPH-HS-89.1.20.2012

**APPLICATION TO THE COUNTY BOARD OF REGISTRARS FOR HEARING TO DETERMINE
APPLICANT'S CITIZENSHIP FOR VOTING PURPOSES (Form C-4)**

Complete and submit only if applicant has not submitted satisfactory documentary proof of citizenship.

I, _____, hereby request a hearing with the county Board of Registrars. In support thereof, I affirm as follows:

I am a United States citizen but do not possess or have access to any of the following documents showing United States Citizenship:

(1) A driver's license or nondriver's identification card issued by the division of motor vehicles or the equivalent governmental agency of any state within the United States provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) in the U.S. as a condition of issuance of the driver's license or nondriver's identification card. **Alabama driver's license or nondriver's ID card must be a "Star" license or ID.**

(2) A birth certificate indicating birth in the U.S. or one of its territories.

(3) Pertinent pages of a valid or expired passport identifying me and my passport number, or presentation of my U.S. passport.

(4) United States naturalization documents or the number of the certificate of naturalization.

(5) Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952, and amendments thereto.

(6) A Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.

(7) A consular report of birth abroad of a citizen of the United States of America.

(8) A certificate of citizenship issued by the United States Citizenship and Immigration Services.

(9) A certification of report of birth issued by the United States Department of State.

(10) An American Indian card, with KIC classification, issued by the United States Department of Homeland Security.

(11) A final adoption decree showing my name and United States birthplace.

(12) An official United States military record of service showing my place of birth in the United States.

(13) An extract from a United States hospital record of birth created at the time of my birth indicating my place of birth in the United States.

(14) Federal confirmation of U.S. citizenship under 8 U.S.C. § 1373.

I believe that I am a United States citizen based upon the following information:

(Provide the details as to why or how you became a citizen of the United States.)

I submit herewith the following documentation that proves that I am a United States citizen:

(Attach copies of any documentation that you believe demonstrates citizenship, such as newspaper birth announcements, family Bible entries, certificate of foreign birth if it reflects U.S. citizenship, affidavits signed by three U.S. citizens who know you are a U.S. citizen and have known you for 10 years or more, etc.)

NOTICE OF RIGHT TO HEARING BEFORE THE COUNTY BOARD OF REGISTRARS

I understand that I am entitled to a hearing before the Board of Registrars and an opportunity to testify and to present witnesses and additional evidence of citizenship if the Board does not determine that I have provided satisfactory evidence of citizenship based upon the information that I have supplied above. I understand that I have the right to have counsel, provided at my own expense, present at said hearing. I understand that notice of the hearing will be mailed to the address that I have provided at least five days prior to the hearing date.

Signature of applicant

Mail completed form and attached documents to your local Board of Registrars.

Authors: Jean Brown, Edward Packard, William Sutton, David Brewer, and Brent Beal.

Statutory Authority: Code of Ala. 1975, §§ 31-13-28 (2012), 17-3-1 (2006).

History: New Rule: Filed September 31, 2016; effective March 7, 2013.

Repealed and New Rule: Filed April 13, 2015; effective May 15, 2015.

Ed. Note: Rule .24 was renumbered .25 as per certification filed March 4, 2016; effective April 18, 2016.